

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Arthur Garduno

Case: 2:24-mj-30449
Case No. Assigned To : Unassigned
Assign. Date : 10/22/2024
Description: COMP USA V.
GARDUNO (KB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 20, 2024 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1)	Felon in possession of a Firearm

This criminal complaint is based on these facts:

See attached Affidavit

Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: October 22, 2024

City and state: Detroit, MI


Complainant's signature

Jimmie Pharr, Special Agent ATF
Printed name and title


Elizabeth A. Stafford
Judge's signature

Hon. Elizabeth A. Stafford, United States Magistrate Judge
Printed name and title

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Jimmie Pharr, Special Agent for the Bureau of Alcohol, Tobacco, Firearms and Explosives, being duly sworn, hereby depose and state as follows:

I. INTRODUCTION

1. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives since January 17, 2016. I am currently assigned to the Detroit Field Division. I completed twenty-six weeks of training, which was comprised of the Criminal Investigator Training Program and the ATF Special Agent Basic Training program at the Federal Law Enforcement Training Center in Glynco, Georgia. I received extensive training on firearms identification, common scenarios involving firearms and narcotics trafficking, and identification and effects of controlled substances. Additionally, I received training on undercover investigations related to firearms and narcotics trafficking, which included investigative techniques and common subject behavior. I was also employed as a Detroit Police Officer for the City of Detroit for approximately three years, 2013-2016. During my employment with the Detroit Police Department, I conducted and participated in numerous

criminal investigations focused on individuals who illegally possessed firearms and narcotics.

2. This affidavit is in support of criminal complaint and application for an arrest warrant for Arthur GARDUNO for the crime of Title 18, U.S.C. § 922(g)(1), felon in possession of a firearm.

3. The facts in this affidavit come from my personal observations, training, experience, and information obtained from ATF Special Agents, Task Force Officers, Police Officers, Detectives and witnesses. This affidavit is intended to show that there is sufficient probable cause for the requested warrant and does not set forth all information known to law enforcement regarding this investigation.

II. SUMMARY OF THE INVESTIGATION

4. On October 20, 2024, at approximately 11:23 p.m., Detroit Police were in the area of Carbon St. and Dearborn St. in Detroit, MI, working proactive patrol when they observed two males walking west bound on Carbon St from Dearborn St. Officers recognized one of them as Arthur GARDUNO, who on October 12, 2024, fled from Detroit Police in a motor vehicle after they attempted to conduct a traffic stop on the vehicle GARDUNO was driving.

5. Officers stopped to further investigate the two males.

Officers arrested GARDUNO for the October 12, 2024 fleeing and eluding based on probable cause. During a search incident to arrest of a fanny pack worn by GARDUNO, officers located an AMT pistol, model: Backup, caliber: .45 ACP, bearing serial number GBA01176. The firearm was loaded with ammunition in the magazine of the firearm.

6. GARDUNO informed officers that he was on federal supervised release. Officers queried the law enforcement information network (LEIN), which confirmed GARDUNO's federal supervised release and found that GARDUNO did not have a valid concealed pistol license.

7. GARDUNO was arrested for carrying a concealed pistol and flee and eluding. GARDUNO was transported to the Detroit Detention Center for processing and without incident.

8. As an ATF Interstate Nexus Agent, I know that AMT pistols are not manufactured in the State of Michigan. Therefore, it is in my preliminary opinion that the above stated firearm traveled in interstate or foreign commerce prior to GARDUNO's possession of the firearm

9. GARDUNO has the following criminal history:

- a. 2009, felony: Breaking & Entering, 3rd Circuit Court, Wayne County.
- b. 2009, felony: Receiving & Concealing Stolen Property, 3rd Circuit Court, Wayne County.
- c. 2010, felony: Unarmed Robbery, 3rd Circuit Court, Wayne County.
- d. 2011, felony: Weapons Felony Firearm, 3rd Circuit Court, Wayne County.
- e. 2021, felony: Felon in Possession of a Firearm, U.S. District Court, Eastern District of Michigan.

10. GARDUNO is on federal supervised release with U.S. Federal probation. I know that it is routine for individuals being released from federal prison to be advised verbally and in writing of their prohibition of possessing firearms. GARDUNO signed a U.S. Federal probation form on July 17, 2024, acknowledging being prohibited from possessing firearms.

III. CONCLUSION

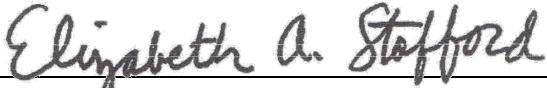
11. Probable cause exists that Arthur GARDUNO, a convicted felon, was in possession of a pistol, manufactured outside the state of

Michigan, knowing that he was a felon and prohibited from possessing any firearms or ammunition, in violation of Title 18, U.S.C. § 922(g)(1).



Jimmie Pharr, Special Agent,
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me and signed in my presence
and/or by reliable electronic means.



HON. ELIZABETH A. STAFFORD
UNITED STATES MAGISTRATE JUDGE